

C3 49. (Amended) A seal for sealing a dynamic shaft assembly, comprising:

- a sleeve adapted to be disposed generally coaxially around a shaft;
- a casing adapted to be generally arranged to surround the sleeve;
- a faceplate, located between the sleeve and the casing, having an inside face and an outside face, the faceplate generally perpendicular to the sleeve; and
- a filtering material portion, wherein the filtering material portion contacts the inside face of the faceplate and forms a filtering barrier between the faceplate and the sleeve.

REMARKS

The presently pending claims were rejected under 35 USC 102(b) as being anticipated by Carson et al. ("Carson") or 35 USC 103(a) as being unpatentable over Carson in view of various references, primarily Karcher.

The claims as amended herein require a filtering mechanism disposed within the seal. For example, claim 49 requires "a filtering material portion, wherein the filtering material portion contacts the inside face of the faceplate and forms a filtering barrier between the faceplate and the sleeve."

The Examiner acknowledges the Carson fails to teach a filter or a filtering mechanism. However, the Examiner asserts that "Karcher teaches to place a felt filter portion that contacts an inside face of a faceplate." Applicant respectfully asserts that this is incorrect. Karcher does not teach the use or placement of a filter. Rather, element 70, which the Examiner refers to is simply an annular felt washer. A washer is a simply a spacing and tightening element. There is no teaching of filtering, using or placing a filter, or using the washer 70 in an capacity other than that of a normal washer which would not include a filtering function. Furthermore, it is quite apparent from the illustration that there is a substantial gap left between the washer 70 and the flange 36. Thus, no filtering function would occur or would be reasonably expected to occur, as this washer would be easily bypassed by material flow.

As the references provided fail to teach a filter as presently claimed, the Examiner has failed to provide a *prima facie* case of obviousness. As such, Applicant respectfully request that the rejections be withdrawn and this case passed to issuance.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**Marked-up Version Showing Changes.**"

This application now stands in allowable form and reconsideration and allowance is respectfully requested.

Respectfully submitted,

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Date: 3/6/03

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MARKED-UP VERSION SHOWING CHANGES**IN THE CLAIMS**

37. A seal comprising a housing structure adapted to surround a shaft, wherein the housing structure comprises a filtering means for preventing foreign material from entering the sealed area.

39. A method for sealing a dynamic shaft assembly containing a bore for receiving a seal, comprising:

providing a seal having a faceplate and at least one filtering structure between an inner and an outer portion of the seal that substantially limits foreign particles from entering the seal, wherein the faceplate is operably coupled to the inner portion; and placing the seal into the bore.

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a casing adapted to be generally arranged to surround the sleeve;

a faceplate, located between the sleeve and the casing, having an inside face and an outside face, the faceplate generally perpendicular to the sleeve; and

a filtering material portion, wherein the filtering material portion contacts the inside face of the faceplate and forms a filtering barrier between the faceplate and the sleeve.